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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,107	08/24/2001	Ping-Ying Chu	B-4287 619033-2	3345

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EXAMINER
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DAVIS, ZACHARY A

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/939,107	<b>Applicant(s)</b> CHU, PING-YING	
	<b>Examiner</b> Zachary A Davis	<b>Art Unit</b> 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 20 April 2001. It is noted, however, that applicant has not filed a certified copy of the Taiwanese 90109562 application as required by 35 U.S.C. 119(b).

### ***Claim Objections***

2. Claims 1, 6, 10, 15, 19, and 24 are objected to because of the following informalities: Each of the claims recites the limitation "such that the second device receiving", in line 13 of Claim 1, line 14 of Claim 6, line 17 of each of Claims 10 and 15, and line 16 of each of Claims 19 and 24. It appears that this is intended to read, "such that the second device receives". Similarly, Claim 19 also recites the limitation "such that the first device receiving" in line 25. It appears that this is intended to read, "such that the first device receives". Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 10-14, and 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind et al, US Patent 6772331.

In reference to Claim 1, Hind discloses a method including assigning an authentication number to a first device (column 7, lines 61-67), the first device transmitting a signal including the authentication number (column 9, lines 18-20), a second device locating the signal and displaying a login number, and conveying the login number and digital data to the second device (column 9, lines 20-32, where the identifier is verified and a PIN or key is entered into the first device).

In reference to Claim 10, Hind discloses all of the steps of the method of Claim 1, and further discloses a plurality of first devices and selecting one of the first devices (column 11, lines 6-8).

In reference to Claim 19, Hind discloses all of the steps of the method of Claim 1, and further discloses performing mutual authentication (column 10, lines 41-45).

In reference to Claims 2, 11, and 20, Hind further discloses using high frequency radio (see, for example, column 7, lines 1-6, where reference is made to Bluetooth; see also column 7, lines 59-61).

In reference to Claims 3, 12, and 21, Hind further discloses the first device can be a mouse or a telephone (column 13, lines 44-49).

In reference to Claims 4, 13, and 22, Hind further discloses the second device can be a computer (column 13, lines 44-49) or a cellular telephone (column 12, line 64-column 13, line 2).

In reference to Claims 5, 14, and 23, Hind further discloses long-term storage in a memory (column 13, line 28-31, where flash or similar memory is used).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-9, 15-18, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind in view of Schneier, *Applied Cryptography*.

In reference to Claim 6, Hind discloses a method including assigning an authentication number to a first device (column 7, lines 61-67), the first device transmitting a signal including the authentication number (column 9, lines 18-20), a

second device locating the signal and displaying a login number, and conveying the login number and digital data to the second device (column 9, lines 20-32, where the identifier is verified and a PIN or key is entered into the first device). However, Hind does not explicitly disclose generating the authentication number randomly. Schneier discloses that keys and other numbers used for authentication procedures can be generated randomly (page 173, "Random Keys"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Hind to include the random generation of the authentication number, in order to have keys that are as strong as possible (see Schneier, page 151, first paragraph; see also page 170, section 8.1, "Generating Keys").

In reference to Claim 15, Hind and Schneier disclose all of the steps of the method of Claim 6, and Hind further discloses a plurality of first devices and selecting one of the first devices (column 11, lines 6-8).

In reference to Claim 24, Hind and Schneier disclose all of the steps of the method of Claim 6, and Hind further discloses performing mutual authentication (column 10, lines 41-45).

In reference to Claims 7, 16, and 25, Hind further discloses using high frequency radio (see, for example, column 7, lines 1-6, where reference is made to Bluetooth; see also column 7, lines 59-61).

In reference to Claims 8, 17, and 26, Hind further discloses the first device can be a mouse or a telephone (column 13, lines 44-49).

In reference to Claims 9, 18, and 27, Hind further discloses the second device can be a computer (column 13, lines 44-49) or a cellular telephone (column 12, line 64-column 13, line 2).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- a. Brown et al, US Patent 6366622, discloses a wireless communication apparatus that includes authentication of Bluetooth devices.
- b. Vij et al, US Patent 6452910, discloses an apparatus for a wireless network that includes mutual authentication of Bluetooth devices.
- c. Logan, US Patent 6631271, discloses a system for monitoring wireless devices that includes authentication of the devices.
- d. Lemilainen et al, US Patent 6766160, discloses an apparatus for authentication of Bluetooth devices in a wireless network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
zad

  
**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**